



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,466	01/25/2001	Toshiyuki Takao	FF-0131US	3951
21254	7590	12/06/2004	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			ZHOU, TING	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/768,466

Applicant(s)

TAKAO ET AL.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/17/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 20 July 2004 have been received and entered. The applicant has amended claims 1, 8, 15 and 22 and added claims 27-35. Claims 1-35 as amended are pending in the application.

2. It is noted that at the present time, applicant has declined to rewrite allowable dependent claims 5, 12 and 19 in independent form, as suggested by the examiner in the previous office action sent on 19 April 2004.

Allowable Subject Matter

3. Claims 5, 12 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is an examiner's statement of reasons for allowance: The present invention teaches the creation of an operation screen. Each of claims 5, 12 and 19 identifies the distinct feature of conducting the automatic positioning setting process when the paste-up information is moved to the amount of a predetermined ratio in a predetermined position on the operation screen in which the paste-up information is to be pasted. The closest prior art, Cannon et al. (U.S. Patent 5,748,484) and Mack et al. (U.S. Publication 2002/0054115) teach an automatic positioning setting process that is capable of editing the position and size of the information

pasting region. In the case of the Cannon et al. reference, Cannon et al. teach an automatic positioning setting process for coinciding a barycenter of paste-up information with a predetermined point on the operation screen (automatically positioning the signature or picture in a specified position relative to the rest of the card) (Cannon et al.: column 12, lines 32-40). In the case of the Mack et al. reference, Mack et al. teach editing a position and size of the information pasting region (using a pointing device such as a mouse, users can edit, or resize and move an inserted image on the canvas) (Mack et al.: page 1, paragraph 0007 and page 5, paragraph 0030). However, the prior art of record fails to explicitly teach the automatic positioning setting process is conducted when the paste-up information is moved to the amount of a predetermined ratio in a predetermined position on the operation screen in which the paste-up information is to be pasted, and thus fails to anticipate or render the above limitations obvious.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6-11, 13-18 and 20-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cannon et al. U.S. Patent 5,748,484 and Mack et al. U.S. Publication 2002/0054115.

Referring to claims 1, 8 and 15, Cannon et al. teach a system, method and recording medium (card display/order and printing computer system) storing a program including instructions for performing a method comprising a paste-up information receiving unit for receiving paste-up information to paste on information pasting regions on the operation screen (receiving images to position at information pasting regions such as the center of the panel "C", top of the panel "T", etc.) (Cannon et al.: column 4, lines 55-58 and column 11, line 63 – column 12, line 31), a paste-up information setting unit (to personalize the card) for setting the position and size of the paste-up information to be pasted on the information pasting regions on the operation screen (positioning text on the card by setting the font size, and position, such as center of the panel "C", top of the panel "T", etc. of the text to be added) (Cannon et al.: column 11, lines 58 - column 12, line 23), a barycenter of paste-up information coinciding with a predetermined point on the operation screen (for example, the image can be positioned at the center of the panel and therefore, a barycenter, or point of the image to be pasted must coincide with the predetermined point, or center of the display screen) (Cannon et al.: column 11, lines 62-67 and column 12, lines 1-23), and an operation screen creating unit for creating a new operation screen according to the results of the setting unit (card display system and printing system that allows users to view the cards created) (Cannon et al.: column 5, lines 64-67 and

column 6, lines 1-4), wherein the operation screen is a control terminal which controls a remote terminal (printer) via a communication line (telecommunications link) (Cannon et al.: column 5, lines 23-29, 52-56 and 64-67). However, Cannon et al. fail to explicitly teach the operation screen creating unit comprising an editing device for editing at least one of a position and size of the information pasting regions to create the operation screen for controlling the remote terminal. Mack et al. teach an interface for pasting, or adding images and text (Mack et al.: page 1, paragraph 0006-0007 and Figure 8) similar to that of Cannon et al. In addition, Mack et al. further teach an editing device for editing at least one of a position and size of the information pasting regions to create an operation screen (using a pointing device such as a mouse, users can edit, or resize and move an inserted image on the canvas) (Mack et al.: page 1, paragraph 0007 and page 5, paragraph 0030). It would have been obvious to one of ordinary skill in the art, having the teachings of Cannon et al. and Mack et al. before him at the time the invention was made, to modify the operation screen creating unit for controlling a remote terminal taught by Cannon et al. to include the editing device of Mack et al. One would have been motivated to make such a combination in order to provide easy-to-use, changeable onscreen operating instructions that allow users to continuously build his image in real time to his own particular desires and specification; furthermore, it would have been advantageous to make such a combination because it allows editing at each step of the creation process, ensuring that the final product will meet the user's criteria.

Referring to claims 2, 9 and 16, Cannon et al. teach the paste-up information receiving unit including at least one of an image data reading unit for receiving image data and a text data receiving unit for receiving text data, as recited in column 4, lines 60-62.

Referring to claims 3, 10 and 17, Cannon et al. teach an external memory device in communication with the control terminal (card display/order system), wherein the paste-up information from a file recorded in the external memory device (image files stored in data storage units such as CD-ROM), as recited in column 5, lines 23-29 and column 13, lines 55-57.

Referring to claims 4, 11 and 18, Cannon et al. teach the paste-up information setting unit undertaking an automatic positioning setting process (automatically placing a signature or picture of the card purchaser) for coinciding a barycenter of paste-up information with a predetermined point on the operation screen (positioning the signature or picture in a specified position relative to the rest of the card; therefore, a point or position of the picture or signature need to be placed on, or coincide with a positional point on the display screen), as recited in column 12, lines 32-40. Furthermore, according to the specification of the application on page 11, lines 31-32 and continuing onto page 12, lines 1-11, the automatic positioning setting process automatically alters the size of the paste-up information in order to fit it in the paste-up information region. Cannon et al. teach the resizing of the received images so it will fit within a defined area, as recited in column 8, lines 58-68.

Referring to claims 6, 13 and 20, Cannon et al. teach the operation screen creating unit creating a plurality of the operation screens (a plurality of cards), having different designs based on a common setting value relating to a position, size and direction of the paste-up information (different designs for the cards but uses a common image such as a logo), as recited in column 7, lines 66-67 and column 8, lines 1-7.

Referring to claims 7, 14 and 21, Cannon et al. teach the control terminal (system for ordering and printing social expression cards) comprising a plurality of control terminals

(database preparation system, card display/order facilities and card printing facilities), as recited in column 4, lines 52-58. The system, method and recording medium further comprises a paste-up information storing unit connected to the communication line, communicating with a plurality of control terminals (column 5, lines 23-29) for storing a setting value relating to the position, size and direction of the paste-up information and wherein the operation screen is updated in accordance with the setting values of the paste-up information stored in the storing unit (column 11, lines 62-67).

Referring to claim 22, Cannon et al. teach a display device operably connected to a control terminal connected to a communication line for displaying an operation screen (Cannon et al.: column 5, lines 33-38), a paste-up information section and a screen arrangement section (used to personalize the card) having an input side connected to the information section and an output side connected to the display device (the inputs are received from the users regarding the desired characteristics of the card designs and outputted on the display screen) (Cannon et al.: column 5, lines 32-39 and Figures 1 and 3), wherein the screen arrangement section is being operated by a user to automatically coincide a barycenter of inputted paste-up information with a predetermined point (automatically placing a signature or picture of the card purchaser by positioning the signature or picture in a specified position relative to the rest of the card; therefore, a point or position of the picture or signature need to be placed on, or coincide with a positional point on the display screen) (Cannon et al.: column 12, lines 32-40). This is further recited in column 5, lines 57-67 and continuing onto column 6, lines 1-4. However, Cannon et al. fail to explicitly teach the screen arrangement section comprising an editing device for editing at least one of a position and size of the information pasting regions to create the operation

screen for controlling the remote terminal. Mack et al. teach an interface for pasting, or adding images and text (Mack et al.: page 1, paragraph 0006-0007 and Figure 8) similar to that of Cannon et al. In addition, Mack et al. further teach an editing device for editing at least one of a position and size of the information pasting regions to create an operation screen (using a pointing device such as a mouse, users can edit, or resize and move an inserted image on the canvas) (Mack et al.: page 1, paragraph 0007 and page 5, paragraph 0030). It would have been obvious to one of ordinary skill in the art, having the teachings of Cannon et al. and Mack et al. before him at the time the invention was made, to modify the operation screen creating unit for controlling a remote terminal taught by Cannon et al. to include the editing device of Mack et al. One would have been motivated to make such a combination in order to provide easy-to-use, changeable onscreen operating instructions that allow users to continuously build his image in real time to his own particular desires and specification; furthermore, it would have been advantageous to make such a combination because it allows editing at each step of the creation process, ensuring that the final product will meet the user's criteria.

Referring to claim 23, Cannon et al. teach the remote terminal comprising a printer, as recited in column 5, lines 33-38 and 52-56.

Referring to claim 24, Cannon et al. teach the operation screen (card display facility) located at the control terminal (the card display facility controls the appearance of the card and then sends the finished card to a remote printer terminal to be printed), as recited in column 5, lines 33-38.

Referring to claim 25, Cannon et al. teach a display device connected to the control terminal and displaying the operation screen, as shown in Figures 1 and 18 and recited in column 22, lines 61-67 and column 23, lines 1-17.

Referring to claim 26, Cannon et al. teach the remote terminal comprising a plurality of remote terminals, as recited in column 5, lines 23-29 and 39-43. This is further shown in Figure 18.

Referring to claims 27 and 32, Cannon et al. teach a tool and method comprising a memory device which stores information to be displayed in the operation screen for operating a remote printer (the databases and image files are stored in a data storage unit to be displayed on the card display/order system and printed from the card printing system) (Cannon et al.: column 5, lines 23 – column 6, line 4) and a processor which causes a display device to display preset information pasting regions on a background screen, and causes the information to be displayed on the preset information pasting regions (the page, or panel used for image placement displays images on information pasting regions on the displayed page, or panel, such as the center of the panel “C”, top of the panel “T”, etc.) (Cannon et al.: column 11, line 46 – column 12, line 40). However, Cannon et al. fail to explicitly teach an editing device for editing at least one of a position and size of the preset information pasting regions to create the operation screen for operating a remote printer. Mack et al. teach an interface tool for displaying images on a background screen (Mack et al.: page 1, paragraph 0006-0007 and Figure 8) similar to that of Cannon et al. In addition, Mack et al. further teach an editing device for editing at least one of a position and size of the preset information pasting regions to create an operation screen (using a pointing device such as a mouse, users can edit, or resize and move an inserted image on the

canvas) (Mack et al.: page 1, paragraph 0007 and page 5, paragraph 0030). It would have been obvious to one of ordinary skill in the art, having the teachings of Cannon et al. and Mack et al. before him at the time the invention was made, to modify the operation screen creating unit for controlling a remote terminal taught by Cannon et al. to include the editing device of Mack et al. One would have been motivated to make such a combination in order to provide easy-to-use, changeable onscreen operating instructions that allow users to continuously build his image in real time to his own particular desires and specification; furthermore, it would have been advantageous to make such a combination because it allows editing at each step of the creation process, ensuring that the final product will meet the user's criteria.

Referring to claims 28 and 33, Cannon et al., as modified, teach the operation screen comprises a background screen and the information paste-up regions comprise outlined areas displayed on the background screen (a back ground screen, or workspace area 70 is an information paste-up region for pasting images and text and comprises an outlined area 86a, as shown in Figures 8 and 13) (Mack et al.: page 4, paragraphs 0024-0025).

Referring to claims 29 and 34, Cannon et al., as modified, teach the operation screen creating unit causes the outlined areas to be erased from the operation screen when the information is ready to be pasted (the outlined square box 86a shown in Figure 8 of Mack et al. is erased from the screen when an image 122c is pasted onto the screen, as shown in Figure 13).

Referring to claims 30 and 35, Cannon et al. as modified, teach the operation screen creating unit causes a size of the information to be altered one of automatically based on a size of the information past-up regions and based on a user input (upon user input such as a click and drag operation of the user's pointing device, a size of the information, or image can resize and

reposition the image) (Mack et al.: page 1, paragraph 0008, page 4, paragraph 0027 and page 5, paragraphs 0028 and 0030).

Referring to claim 31, Cannon et al., as modified, teach the editing device comprises one of an automatic editing device which automatically edits a position and size of the information paste-up regions (when text or images are created, they are automatically assembled in the proper relationship, in the proper resolution and placed onto the canvas at a default position and size) (Mack et al.: page 1, paragraph 0008, page 2, paragraph 0018 and pages 4-5, paragraph 0027-0028) and a user-operated editing device which edits a position and size of the information paste-up regions according to a user operation (upon user input such as a click and drag operation of the user's pointing device, a size of the information, or image can resize and reposition the image) (Mack et al.: page 5, paragraph 0030).

Response to Arguments

7. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

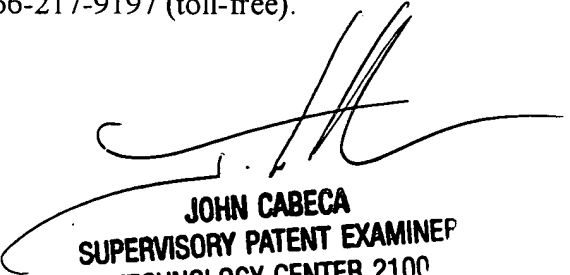
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

15 November 2004


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100